

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

PINKI SHETH, individually and on behalf of
others similarly situated,

Plaintiffs,

v.

CAREMARK, LLC, CVS Caremark
Corporation, and CVS Health,

Defendants.

Civil Action No. 1:21-cv-01155

Judge Thomas M. Durkin

Magistrate Judge Young B. Kim

**UNOPPOSED MOTION TO VOLUNTARILY DISMISS CVS CAREMARK
CORPORATION AND CVS HEALTH AND FOR LEAVE TO FILE FIRST AMENDED
COMPLAINT AND TO MODIFY BRIEFING SCHEDULE**

1. On February 28, 2021 Plaintiff filed her Class and Collection Action Complaint.
2. On April 30, 2021 Defendant Caremark LLC filed its Motion to Compel Arbitration.
3. On May 3, 2021 this Court entered a briefing schedule such that Plaintiff's Response is due June 14, 2021 and Defendant's Reply is due July 1, 2021.
4. On June 3, 2021, this Court entered a modified briefing schedule such that Plaintiff's Response is due July 12, 2021 and Defendant's Reply is due August 6, 2021.
5. The parties have met and conferred and Defendant has agreed not to oppose the voluntary dismissal of CVS Caremark Corporation and CVS Health and for Plaintiff to file an amended complaint against Caremark, LLC only (See Exhibit 1).
6. The Defendant has also agreed, in light of the Amended Complaint, to permit Plaintiff an additional 30 days, or until August 12, 2021, to respond to the Motion to Compel Arbitration.
7. Defendant's Reply would then be due September 2, 2021.
8. This motion is brought in good faith and not for any improper purpose.

9. WHEREFORE, Plaintiff respectfully requests that this Court enter an ordering dismissing CVS Caremark Corporation and CVS Health without prejudice, permitting Plaintiff to file her First Amended Complaint, and extending the briefing schedule on the Motion to Compel Arbitration such that Plaintiff's Response would be due on April 12, 2021 and Defendant's Reply would be due on September 2, 2021.

DATED: July 12, 2021

Respectfully submitted,

MICHAEL L. FRADIN

By: /s/ Michael L. Fradin

Michael L. Fradin (mike@fradinlaw.com)
MICHAEL L. FRADIN, ATTORNEY AT LAW
8401 Crawford Ave. Ste. 104
Skokie, IL 60076
Phone: (847) 986-5889
Facsimile: (847) 986-5889

Attorney for Plaintiff

CERTIFICATE OF SERVICE

I, Michael L. Fradin, an attorney, do hereby certify that I have caused a true and correct copy of the foregoing **UNOPPOSED MOTION TO VOLUNTARILY DISMISS CVS Caremark CORPORATION and CVS HEALTH AND FOR LEAVE TO FILE FIRST AMENDED COMPLAINT AND TO MODIFY BRIEFING SCHEDULE** to be served upon counsel of record via the Court's electronic filing system on this 12th day of July, 2021.

/s/ Michael L. Fradin